

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of

Response Under 37 CFR 1.116 - Expedited Procedure
Customer Number: 20277

Toshiki TARU, et al.

Confirmation Number: 8602

Serial No.: 10 082.083

Group Art Unit: 2874

Filed: February 26, 2002

Examiner: J. Doan

For: OPTICAL FIBER AND FIBER GRATING DEVICE

Box AF

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.



No additional fee is required.



Applicant is entitled to small entity status under 37 CFR 1.27



Also attached:

The fee has been calculated as shown below:

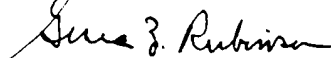
	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	5	20	0	\$18.00 =	\$0.00
Independent Claims	1	3	0	\$84.00 =	\$0.00
Multiple claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

Please charge my Deposit Account No. 500417 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Gene Z. Robinson

Registration No. 33,351

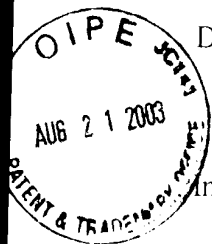
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Date: August 21, 2003



Docket No.: 50212-351

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Toshiki TARU, et al.

Serial No.: 10/082,083

Filed: February 26, 2002

: **RESPONSE UNDER 37 CFR 1.116**
: **EXPEDITED PROCEDURE**

: Customer Number: 20277

: Confirmation Number: 8602

: Group Art Unit: 2874

: Examiner: J. Doan

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RESPONSE UNDER 37 CFR 1.116

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following remarks are submitted in response to the final Office Action dated May 21, 2003.

REMARKS

Claims 1 through 5 are currently pending in the application. Favorable reconsideration and allowance of the application are respectfully solicited.

In the Office Action of May 21, 2003, claims 1 through 5 were rejected under 35 USC 103 as unpatentable over Dong. The statement of the rejection is a repeat of the statement of rejection of these claims in the first Office Action, dated December 11, 2002. In addition, a response to the arguments submitted in the Amendment of March 11, 2003 was provided. The arguments and the remarks are summarized below.